

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board<sup>1</sup>  
Docket No. 05-308

James V. Castellano,	)
Appellant,	)
	)
v.	)
	)
David Harris and Town of Danvers,	)
Appellees	)

**BOARD'S RULING ON APPEAL**

**Procedural History**

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant asks the Board to lift a stop work order issued by David Harris, Assistant Inspector of Buildings for the Town of Danvers, for the construction of a three unit townhouse condominium located at 73 Liberty Street, Danvers, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on October 5, 2006 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing the owner was James V. Castellano ("Appellant"). Present and representing the Town of Danvers Department of Code Administration was David Harris. A representative was present from the Town of Danvers Fire Department.

**Discussion**

A motion was made to lift the stop work order but with the following stipulations, some of the drywall/sheathing must be removed in order for the fire department to inspect

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<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

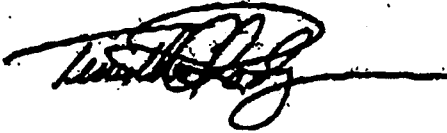
the sprinkler system to determine whether or not it was installed correctly; and the engineer and architect must submit completed affidavits stating that the outstanding issues have been resolved and that the structure has been built in accordance with the MSBC. The Fire Department and Building Department will work together to resolve the outstanding issues. Motion carried 3-0.

**Conclusion**

The stop work order is lifted.

**SO ORDERED.**

  
HARRY SMITH

  
TIMOTHEE RODRIQUE

  
BRIAN GALE

DATED: January 8, 2007

*\* In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*